



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes

ADMINISTRATIVE REVIEW APPEALS BOARD

ROY EVANS, CHAIR

Jennifer Havas, Vice-Chair

Donald Fraker and Ald. Terry Witkowski

Staff Assistant, Diana Morgan, (414)-286-2231

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File Specialist, Charlotte Rodriguez, 286-8797, E-mail: crodri@milwaukee.gov

Friday, January 26, 2007

9:00 AM

Room 301A, City Hall

Meeting Convened: 9:16 A.M.

Present: 3 - Evans, Havas, Fraker

Absent: 1 - VACANT

Excused: 1 - Witkowski

Ald. Witkowski arrived at 9:40 a.m.

Present: 4 - Evans, Witkowski, Havas, Fraker

Absent: 1 - VACANT

1. [06205](#) Appeal of James Davis for police services. (5611 N. 40th St.)

Sponsors: THE CHAIR

Deny the appeal relative to \$412.76 for police services as the city acted properly.

The total charges assessed to the property was \$844.76; due to a 3 month period between the nuisance occurrences and the notice to the property owner, Deputy Inspector Ruzinski eliminated \$432.00 from the total amount of assessed charges.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by Donald Fraker, seconded by Jennifer Havas, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 3 - Evans, Havas, and Fraker

No: 0

Absent: 1 - VACANT

Excused: 1 - Witkowski

2. [06202](#) Appeal of the Sergio Rodriguez for a lawn and weed nuisance. (3035 N. Palmer St.)

Sponsors: THE CHAIR

Appeal relative to a \$105 lawn and weed nuisance fee.

The appellant informed the board that he was granted an extension to perform nuisance by Inspector Markwardt, Department of Neighborhood Services.

Mr. Krouse, Department of Public Works advised the board that his office was not aware of any arrangements made with Mr. Rodriguez and that it is not the general policy for one department to make arrangements when charges are assessed by another department.

Motion by Ald. Witkowski to hold this matter to the call of the chair until later in the meeting to allow the board an opportunity to speak with Inspector Markwardt.

Prevailed. 4-0.

Telephone call to Inspector Markwardt to request his appearance before the board to resolve this matter. Inspector Markwardt's office advised the board that Inspector Markwardt does not work on Fridays.

Based upon the circumstance surrounding this matter Mr. Krouse, Department of Public Works entered into a settlement agreement with the appellant to reduce the fee relative to a lawn and weed nuisance charge from \$105 to \$55.

No further action was taken regarding this matter.

SETTLED

3. [07001](#) Appeal of David Barry for snow and ice removal fees. (2851-2853 N. Downer Ave.)

Sponsors: THE CHAIR

Adjourn the appeal of David Barry relative to snow and ice removal fees to the next meeting of the Administrative Review Board at the request of the appellant.

No other action was taken regarding this matter.

HELD IN COMMITTEE

4. [06197](#) Appeal of Carolyn Thomas for board up charges. (5639 N. 95th St.)

Sponsors: THE CHAIR

Grant the appeal relative to a board-up fee for the property located at 5639 N. 95th St.

A motion was made by Jennifer Havas, seconded by Donald Fraker, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:

Aye: 3 - Evans, Havas, and Fraker

No: 1 - Witkowski

Absent: 1 - VACANT

5. [06206](#) Appeal of Patrice Wainwright for board-up fees. (3147-49 N. 38th St.)

Sponsors: THE CHAIR

Adjourn the appeal relative to a board -up fee to the next meeting of the Administrative Review Appeals Board at the request of the appellant.

No other action was taken regarding this matter.

HELD IN COMMITTEE

6. [06214](#) Appeal of Patrick Durkin for a board-up fee. (2901 N. 59th St.)

Sponsors: THE CHAIR

Dismiss the appeal relative to a board-up fee due to non-appearance, despite being provided timely notice of the hearing.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

7. [06216](#) Appeal of Kelly Carter for a board-up fee. (4756 N. 79th St.)

Sponsors: THE CHAIR

Adjourn the appeal for a board-up fee to the next meeting of the Administrative Review Appeals Board, at the request of the appellant.

No other action was taken regarding this matter.

HELD IN COMMITTEE

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

8. [06198](#) Appeal of Lynetta Lake for reinspection fees. (3935 N. 39th St.)

Sponsors: THE CHAIR

Dismiss the appeal relative to reinspection fees for the property located at 3935 N. 39th St. based upon non-appearance, despite being provided timely notice of the hearing.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

9. [06090](#) Appeal of Lemar Speed for reinspection fees. (2730-32 W. Garfield Ave.)

Sponsors: THE CHAIR

Adjourn the appeal relative to reinspection fees for the property located at 2730-32 W. Garfield Ave. to May 2007.

A motion was made by Donald Fraker, seconded by Jennifer Havas, that this APPEAL be HELD IN COMMITTEE. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

10. [06177](#) Appeal of Ilona Stank for reinspection fees. (8110 W. Bradley Rd.)

Sponsors: THE CHAIR

Deny the appeal relative to \$875 reinspection fees as the city acted properly.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Jennifer Havas, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

11. [06203](#) Appeal of Joua Her for reinspection fees. (1516-18 N. 35th St.)

Sponsors: THE CHAIR

Adjourn the appeal relative to \$300 reinspection fees to property located at 1516-18 N. 35th Street at the request of the appellant.

No other action was taken regarding this matter.

HELD IN COMMITTEE

12. [06207](#) Appeal of Rachel Aguado for reinspection fees. (6115-6117 W. Bluemound Rd.)

Sponsors: THE CHAIR

Deny the appeal relative to \$175 reinspection fees, as the city acted properly.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by Donald Fraker, seconded by ALD. WITKOWSKI, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

13. [06209](#) Appeal of Tracy Warren for reinspection fees. (2501-2503 S. 11th St.)

Sponsors: THE CHAIR

Adjourn the appeal relative to reinspection fees to June 2007 to bring property into compliance.

A motion was made by Jennifer Havas, seconded by Donald Fraker, that this APPEAL be HELD IN COMMITTEE. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

14. [06204](#) Appeal of Richard Kaiser for a garbage and litter nuisance. (2828-30 N. Cramer St.)

Sponsors: THE CHAIR

Settlement agreement between the Department of Neighborhood Services and the appellant.

No other action was taken regarding this matter.

SETTLED

15. [06208](#) Appeal of Atty. Heiner Giese on behalf of B. Galena, LLC for reinspection fees. (2030-32 N. 38th St.)

Sponsors: THE CHAIR

Settlement agreement between the Department of Neighborhood Services and the appellant.

No other action was taken regarding this matter.

SETTLED

16. [06211](#) Appeal of Joseph Kinzer for Bluestone Properties, LLC for a garbage and litter nuisance. (7123 N. Teutonia Ave.)

Sponsors: THE CHAIR

Deny the appeal relative to \$182 garbage and litter nuisance fee, as the city acted

properly.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Jennifer Havas, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

17. [06212](#) Appeal of Joseph Kinzer for Bluestone Properties, LLC for a garbage and litter nuisance. (7105 N. Teutonia Ave.)

Sponsors: THE CHAIR

Deny the appeal relative to \$182 garbage and litter nuisance fee, as the city acted properly.

This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by Donald Fraker, seconded by ALD. WITKOWSKI, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 4 - Evans, Witkowski, Havas, and Fraker

No: 0

Absent: 1 - VACANT

18. [06215](#) Appeal of Joshua Johnson for a garbage and litter nuisance. (2455 W. Cherry St.)

Sponsors: THE CHAIR

Settlement agreement between the Department of Neighborhood Services and the appellant.

No other action was taken regarding this matter.

SETTLED

Meeting Adjourned: 12:17 P.M.

*Diana Morgan
Staff Assistant*